

REMARKS

The May 7, 2009 Restriction Requirement holds that this application contains claims directed to two patentably distinct inventions and several patentably distinct species and requires election, as explained below.

Election of Invention

Applicants are required to elect one of the following Groups for prosecution on the merits:

Group I – claims 1, 2 and 4-31, drawn to an air conditioner with a plurality of first utilization side refrigerant circuits each having an absorbent heat exchanger and a plurality of second side refrigeration circuits each having an air heat exchanger; and

Group II – claims 3 and 32-38, drawn to an air conditioner with a first utilization side refrigerant circuit having an absorbent heat exchanger, a plurality of second side refrigeration circuits each having an air heat exchanger, and a heat source side refrigerant circuit including a compression mechanism and a heat sources side heat exchanger.

In response, Applicants hereby elect Group I (claims 1, 2 and 4-31) *without traverse*.

Election of Species

In addition, the Office Action requires Applicants to elect one of following patentably distinct species:

Species A - Figure 1;

Species B - Figures 2 and 3;

Species C - Figure 4;

Species D - Figure 5;

Species E - Figures 6 and 7;

Species F - Figures 8 and 9;

Species G - Figures 10 and 11;
Species H - Figures 12 and 13;
Species I - Figures 14 and 15;
Species J - Figures 16 and 17;
Species K - Figures 18 and 19;
Species L - Figures 20 and 21;
Species M - Figures 22 and 23;
Species N - Figures 24 and 25;
Species O - Figures 26 and 27;
Species P - Figures 28 and 29;
Species Q - Figure 30;
Species R - Figure 31;
Species S - Figure 32;
Species T - Figure 33;
Species U - Figure 34;
Species V - Figure 35;
Species W - Figure 36;
Species X - Figures 37 and 38;
Species Y - Figures 39 and 40;
Species Z - Figures 41-43;
Species AA - Figure 44;
Species BB - Figure 45;
Species CC - Figure 46;
Species DD - Figure 47;
Species EE - Figure 48;
Species FF - Figures 49-51;
Species GG - Figures 52 and 53; and
Species HH - Figure 54.

In response, Applicants hereby elect Species A (Figure 1) *with traverse*. According to the Office Action (Restriction Requirement) claim1 reads on the elected Group I and Species A

(Figure 1) identified in the Office Action. However, this part of the restriction requirement is traversed as explained below.

Specifically, Applicant believes this application contains the following (corrected) species, which are different than those set forth in the Office Action (Restriction Requirement):

- (1) Figures 1-29;
- (2) Figure 30;
- (3) Figures 31-32;
- (4) Figure 33;
- (5) Figures 34-35;
- (6) Figures 36-44;
- (7) Figure 45;
- (8) Figure 46;
- (9) Figures 47-48;
- (10) Figure 49;
- (11) Figure 50;
- (12) Figure 51;
- (13) Figures 52-53; and
- (14) Figure 54.

Thus, if the restriction requirement is corrected to correctly identify the above-identified species (1)-(14), Applicant hereby elects species (1) illustrated in Figures 1-29. According to the Office Action (Restriction Requirement), claims 1, 9, 12-17, 25, 34-36 and 38 read on species (1) illustrated in Figures 1-29. See the Brief Descriptions of the Drawings on pages 18-22 of the instant application specification, which identifies the Figures being directed to the above-identified species (1)-(14). Also, see pages 76-109 of the instant application specification where the species (2)-(14) are discussed. Thus, based on the Office Action (Restriction Requirement) identification of claims, it appears that claims 1 and 13-17 are part of Group I and read on corrected species (1) illustrated in Figures 1-29. Accordingly, it appears that at least claims 13-17 should be examined in addition to Claim 1, which was identified in the Office Action (Restriction Requirement) as reading on Species A.

However, based on Applicant's review of the claims and corrected species (1)-(14), Applicant believes that claims 1-4, 9-18 and 32-36 read on elected species (1) illustrated in Figures 1-29. Thus, it appears that claims 1, 2, 4 and 9-18 are part of elected Group I and read on corrected species (1) illustrated in Figures 1-29. Accordingly, it appears that claims 2, 4 and 9-18 should be examined in addition to claim 1, which was identified in the Office Action (Restriction Requirement) as reading on Species A.

In Summary, Applicant believes that claims 1, 2, 4 and 9-18 are part of elected Group I and read on corrected species (1) illustrated in Figures 1-29. Thus, examination of at least claims 1, 2, 4 and 9-18 is respectfully requested. Therefore, claims 3, 5-8 and 19-38 may be withdrawal from consideration as being part of non-elected Group II or being directed to a non-elected (corrected) species (2)-(14) identified above. The status identifiers above indicate this information. However, Applicant notes that all of the claims in this case have been previously examined on the merits, and thus, search for both groups and all species does not appear burdensome. Thus examination of additional claims is respectfully requested.

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In view of the foregoing amendment and comments, reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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Dated: May 29, 2009

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